

U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT

JUL 10 2007

FOR THE EASTERN DISTRICT OF TEXAS

DAVID J. MILAND, CLERK

TYLER DIVISION

SEALED
DEPUTY

UNITED STATES OF AMERICA

§

V.

§

§

§

§

§

§

§

RAYMOND TORRES, JR.

HEATHER WILSON

RODOLFO ROSAS

CRIMINAL NO. 6:07CR 65

Judge Schneider

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT 1

Violation: 21 U.S.C. § 846

(Conspiracy to distribute methamphetamine)

Beginning in or about 2006, the exact date unknown to the Grand Jury, and continuing thereafter through June 16, 2007, in Anderson County, Texas, and in Van Zandt County, Texas, in the Eastern District of Texas; in the Northern District of Texas; and elsewhere, RAYMOND TORRES, JR., HEATHER WILSON, and RODOLFO ROSAS, Defendants herein, did knowingly and intentionally combine, conspire, confederate and agree together and with others, unknown to the grand jury, to knowingly and intentionally distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), prohibiting the distribution and possession with intent to distribute methamphetamine, a Schedule II controlled substance, as hereafter set forth.

COUNT 1 OVERT ACTS

1. On or about December 30, 2006, in Van Zandt County, Texas, RAYMOND TORRES, JR. and HEATHER WILSON possessed approximately 444 grams of methamphetamine, a loaded pistol, two methamphetamine pipes, and syringes.
2. On or about February 5, 2007, in Grand Prairie, Texas, in Dallas County, Texas, while fleeing from police, RAYMOND TORRES, JR. possessed \$5,600 in U.S. currency.
3. On or about June 16, 2007, at the mall in Palestine, in Anderson County, Texas, RAYMOND TORRES, JR. and RODOLFO ROSAS possessed approximately 67 grams of a mixture or substance containing a detectable amount of methamphetamine, a loaded handgun, and \$2,123 in U.S. currency.

Count 1 all in violation of Title 21, United States Code, Section 846.

COUNT 2

Violation: 21 U.S.C. § 841(a)(1) (Possession with intent to distribute methamphetamine) and 18 U.S.C. § 2 (Aiding and abetting)

On or about December 30, 2006, in Van Zandt County, Texas, in the Eastern District of Texas, RAYMOND TORRES, JR. and HEATHER WILSON, Defendants herein, did knowingly, intentionally and unlawfully possess with intent to distribute approximately 444 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 3

Violation: 18 U.S.C. § 924(c) (Carrying and possession of a firearm during and in furtherance of a drug trafficking crime).

On or about December 30, 2006, in Van Zandt County, Texas, in the Eastern District of Texas, RAYMOND TORRES, JR. and HEATHER WILSON, Defendants herein, did knowingly and intentionally carry and possess a firearm, to wit: a Smith and Wesson, model SW9VE, 9 mm caliber semi-automatic pistol, bearing serial number PBE0111, during and in relation to and in furtherance of a felony drug trafficking crime for which they may be prosecuted in a court of the United States, that is possession with intent to distribute methamphetamine, a Schedule II Controlled Substance, a violation of Title 21, United States Code, Section 841(a)(1), as alleged in Count 2, all in violation of Title 18, United States Code, Section 924(c).

COUNT 4

Violation: 18 U.S.C. § 922(g)(1) (Felon in possession of a firearm)

On or about December 30, 2006, in Van Zandt County, Texas, in the Eastern District of Texas, RAYMOND TORRES, JR., Defendant herein, did knowingly and unlawfully possess a firearm, specifically: a Smith and Wesson, model SW9VE, 9 mm caliber semi-automatic pistol, bearing serial number PBE0111, which firearm had been shipped in interstate commerce and said Defendant possessed the firearm after having been convicted of a crime punishable by a term of imprisonment exceeding one year, specifically the felony offense of aggravated assault with a deadly weapon for which he was convicted in the 3rd Judicial District Court of Anderson County, Texas on April 18, 1997, for which he was sentenced to 7 years' imprisonment, all in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 5

Violation: 21 U.S.C. § 841(a)(1) (Possession with intent to distribute methamphetamine) and 18 U.S.C. § 2 (Aiding and abetting)

On or about June 16, 2007, in Palestine, in Anderson County, Texas, in the Eastern District of Texas, RAYMOND TORRES, JR. and RODOLFO ROSAS, Defendants herein, did knowingly, intentionally and unlawfully possess with intent to distribute approximately 67 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 6

Violation: 18 U.S.C. § 924(c) (Carrying and possession of a firearm during and in furtherance of a drug trafficking crime).

On or about June 16, 2007, in Palestine, in Anderson County, Texas, in the Eastern District of Texas, RAYMOND TORRES, JR., Defendant herein, did knowingly and intentionally carry and possess a firearm, to wit: a Taurus, Model PT99AF, 9 mm semi-automatic handgun, bearing serial number TLA-30410/AFD, during and in relation to and in furtherance of a felony drug trafficking crime for which he may be prosecuted in a court of the United States, that is possession with intent to distribute methamphetamine, a Schedule II Controlled Substance, a violation of Title 21, United States Code, Section 841(a)(1), as alleged in Count 5, all in violation of Title 18, United States Code, Section 924(c).

COUNT 7

Violation: 18 U.S.C. § 922(g)(1) (Felon in possession of a firearm)

On or about June 16, 2007, in Palestine, in Anderson County, Texas, in the Eastern District of Texas, RAYMOND TORRES, JR., Defendant herein, did knowingly and unlawfully possess a firearm, specifically: a Taurus, Model PT99AF, 9 mm semi-automatic handgun, bearing serial number TLA-30410/AFD, which firearm had been shipped in interstate commerce and said Defendant possessed the firearm after having been convicted of a crime punishable by a term of imprisonment exceeding one year, specifically the felony offense of aggravated assault with a deadly weapon for which he was convicted in the 3rd Judicial District Court of Anderson County, Texas on April 18, 1997, for which he was sentenced to 7 years' imprisonment, all in violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

Pursuant to 18 U.S.C. § 924(d), 18 U.S.C. § 3665 and 21 U.S.C. § 853

As a result of committing the offenses alleged in this Indictment, the Defendant shall forfeit to the United States of America pursuant to 18 U.S.C. § 924(d), 18 U.S.C. § 3665 and 21 U.S.C. § 853 all firearms and ammunition subject to forfeiture based on the aforementioned statutes, including but not limited to the following:


1. a Smith and Wesson, model SW9VE, 9 mm caliber semi-automatic pistol, bearing serial number PBE0111; and
2. a Taurus, model PT99AF, 9 mm semi-automatic handgun, bearing serial number TLA-30410/AFD,

By virtue of the commission of the felony offenses charged in this Indictment, any and all interest the Defendant has in the above-described firearms and ammunition is vested in the United States and hereby forfeited to the United States pursuant 18 U.S.C. § 924(d) and 18 U.S.C. § 3665 and 21 U.S.C. § 853.

A TRUE BILL,

Date:

7/10/07



FOREPERSON OF THE GRAND JURY

JOHN L. RATCLIFFE
ACTING UNITED STATES ATTORNEY


MARY ANN COZBY
ASSISTANT U.S. ATTORNEY
110 N. College, Suite 700
Tyler, Texas 75702 903-590-1400
Bar Card No. 02656020

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

UNITED STATES OF AMERICA

V.

RAYMOND TORRES, JR.
HEATHER WILSON
RODOLFO ROSAS

§
§
§
§
§
§

CRIMINAL NO. 6:07CR_____

NOTICE OF PENALTY

COUNTS 1, 2 and 5

Violation: 21 U.S.C. § 846 and 841(a)(1)

Penalty: If more than 500 grams of a mixture or substance containing a detectable amount of methamphetamine - not less than 10 years or more than life imprisonment, a fine not to exceed \$4,000,000, or both - supervised release of at least 5 years.

If more than 50 grams of a mixture or substance containing a detectable amount of methamphetamine- not less than 5 years nor more than 40 years imprisonment, a fine not to exceed \$2,000,000, or both - supervised release of at least 4 years.

If less than 50 grams of a mixture or substance containing a detectable amount of methamphetamine - not more than 20 years imprisonment, a fine not to exceed \$1 million, or both - supervised release of at least 3 years.

Special Assessment: \$100.00 for each count

COUNTS 3 and 6

Violation: 18 U.S.C. § 924(c)

Penalty: Imprisonment for not less than 5 years nor more than life which must be served consecutively to any other term of imprisonment, a fine not to exceed \$250,000, and supervised release of not more than 5 years.

In the case of a second or subsequent conviction, a term of imprisonment of not less than 25 years nor more than life which must be served consecutively to any other term of imprisonment, and supervised release of not more than 5 years.

Special Assessment: \$100.00 each count

COUNTS 4 and 7

Violation: 18 U.S.C. § 922(g)(1)

Penalty: Not more than 10 years imprisonment, a fine not to exceed \$250,000, or both, and supervised release of not more than 3 years.

Special Assessment: \$100.00 for each count